

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANA NESSEL, Attorney General of the State of
Michigan, on behalf of the People of the State of
Michigan,

Plaintiff,

No. 1:21-cv-01057

HON. JANET T. NEFF

v

ENBRIDGE ENERGY, LIMITED PARTNERSHIP,
ENBRIDGE ENERGY COMPANY, INC., and
ENBRIDGE ENERGY PARTNERS, L.P.,

Defendants.

PLAINTIFF'S MOTION TO REMAND

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Daniel P. Bock (P71246)
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Dated: January 14, 2022

Plaintiff Dana Nessel, Attorney General of the State of Michigan, by her attorneys, Robert P. Reichel and Daniel P. Bock, Assistant Attorneys General, bring this motion for remand pursuant to 28 U.S.C. § 1447(c) on the grounds that the Defendants' December 15, 2021 Notice of Removal (ECF No. 1) was procedurally defective and untimely under 28 U.S.C. § 1446(b) and that this Court lacks subject matter jurisdiction.

While this Court's January 5, 2022 scheduling Order (ECF No. 9) provides that filing of the motion is to be deferred until after the completion of all related briefing, Plaintiff is both serving and filing the motion and accompanying brief in support at this time because the motion is primarily based on procedural defects in the Notice of Removal and 28 U.S.C. § 1447(c) provides that "[a] motion to remand the case on the basis of any defect other than the lack of subject matter jurisdiction must be made within 30 days after the filing of the notice of removal under 28 U.S.C. § 1446(a)."

For the reasons set forth in the accompanying brief in support, Plaintiff requests that the Court promptly remand this matter to the State of Michigan 30th Circuit Court for the County of Ingham.

Respectfully submitted,

/s/ Robert P. Reichel

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LF: Enbridge Straits (AG v)/AG #2019-0253664-C-L/Plaintiff's Motion to Remand 2022-01-14